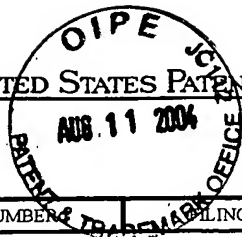




UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/777,466	02/12/2004	Daniel S. Moore	1177-020 NP

20874
 WALL MARJAMA & BILINSKI
 101 SOUTH SALINA STREET
 SUITE 400
 SYRACUSE, NY 13202

CONFIRMATION NO. 2247

FORMALITIES LETTER



OC000000012598413

Date Mailed: 05/12/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 13,14,30,31,32,33.
 - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 9.

08/13/2004 MAHMED1 00000059 502079 10777466

01 FC:2051

65.00 DA

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$342 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.


SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1242** for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$342**
 - \$342 for 19 total claims over 20.

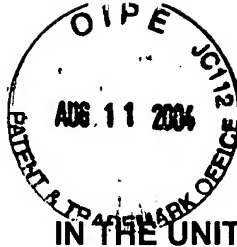
Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Application of Daniel S. Moore, et al

Serial No.: 10/777,466

Filed: 02/12/2004

For: Battery-Powered Air Handling System
For Subsurface Aeration

Docket No.: 1177-020 NP
(037476.00008)

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

TRANSMITTAL LETTER

Please find the following correspondence items enclosed for filing in the United States Patent and Trademark Office:

1. Notification of Filing or Continuing, Divisional or Continued Prosecution Application;
2. Copy of Notice to File Missing Parts of Nonprovisional Application;
3. Revocation and Reappointment of Power of Attorney;
4. Fee Transmittal; and
5. Return postcard.

Please charge payment of fee of \$120.00 (Surcharge \$65.; Extension for Reply within first month \$55.) to Deposit Account No. 502079 as indicated on the attached Fee Transmittal. A duplicate copy of this letter is enclosed. Please charge any additional fees to Deposit Account No. 502079 as further indicated on the attached Fee Transmittal.

Respectfully submitted,

Robert M. Ward
McNAIR LAW FIRM, P.A.
Registration No. 26,517
P.O. Box 10827
Greenville, S.C. 29603-0827
Telephone: (864) 232-4261
Attorney for the Applicant

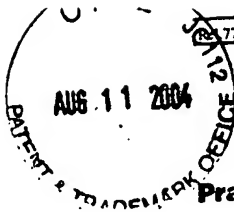
08/13/2004 MAHRED1 00000059 502079 10777466

02 FC:2251 55.00 DA

I hereby certify that this correspondence is being deposited with the United States Postal Services as "EXPRESS MAIL" mailing label EV 478027355 with sufficient postage and mailing label affixed thereto, in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

By: Cynthia Wendland

Date: 8-11-2004

Practitioner's Docket No. 1177-020 NP**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Daniel S. Moore, et al

Application No.: 010 / 777,466 Group No.:

Filed: 02/12/2004 Examiner:

For: Battery Powered Air Handling System For Subsurface Aeration

Assistant Commissioner for Patents
Washington, D.C. 20231**NOTIFICATION OF FILING OF CONTINUING,
DIVISIONAL OR CONTINUED PROSECUTION APPLICATION**

Notification is hereby being made of the filing of a:

- ☐ continuation
☒ continuation-in-part
☐ divisional
☐ continued prosecution

application for this case

☒ concurrently herewith.☐ on _____ Date _____**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10**
(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☒ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

37 C.F.R. § 1.8(a)

- ☐ with sufficient postage as first class mail.

☒ as "Express Mail Post Office to Addressee"
Mailing Label No. _____ (mandatory)

EV 478027355 US

TRANSMISSION

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Cornelia Wendland
Signature

Date: 8-11-2004Cornelia Wendland

(type or print name of person certifying)

***WARNING:** Each paper or fee filed by Express Mail **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. § 1.10(b).
"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(Notification of Filing of Continuing, Divisional or Continued Prosecution Application [4-9] (page 1 of 2))

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Reg. No. 26,517

Tel. No.: (864) 232-4261

Customer No.:

SIGNATURE OF PRACTITIONER

Robert M. Ward

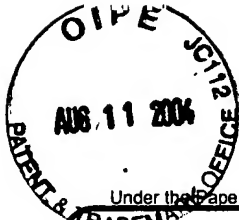
(type or print name of practitioner)

P.O. Box 10827

P.O. Address

Greenville, SC 29603-0827

(Notification of Filing of Continuing, Divisional or Continued Prosecution Application [4-9] (page 2 of 2))



FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$120.00)

Complete if Known

Application Number	10/777,466
Filing Date	02/12/2004
First Named Inventor	David S. Moore
Examiner Name	
Art Unit	
Attorney Docket No.	1177-020 NP (037476.00008)

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 502079
Deposit Account Name: McNair Law Firm, P.A.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	65.00
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	55.00
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$120.00)

SUBMITTED BY

Name (Print/Type)	Robert M. Ward	Registration No. (Attorney/Agent)	26,517	Telephone	864 232-4261
Signature	<i>R M Ward</i>	Date	8-11-04		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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